UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,123	09/10/2003	Timothy Gerhard Barker	49335.2300	3544

7590 11/16/2006	EXAMINER
SNELL & WILMER L.L.P. One Arizona Center 400 East Van Buren Phoenix, AZ 85004-2202	BACKER, FIRMIN

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/659,123	BARKER ET AL.
	Examiner	Art Unit	
	FIRMIN BACKER	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *12 September 2006*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-3,5-9,11-14 and 16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-3,5-9,11-14 and 16* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

    1. ☐ Certified copies of the priority documents have been received.

    2. ☐ Certified copies of the priority documents have been received in Application No. _____.

    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-3, 5-9, 11-14 and 16 have been considered

but are moot in view of the new ground(s) of rejection.

Claim Objections

2.   Claims 5 and 11 are objected to because of the following informalities: Applicant claim

dependency on claims that are canceled and remove from examination. Appropriate correction is

required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-3, 5-9, 11-14 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by

Lawlor et al (U.S. PG Pub No. 2002/0038289 A1).

5.   As Per claim 1, Lawlor et al teach a method for a client to authorize an automated

clearing house (ACH) transaction comprising prompting the client to enter authentication

credentials to access an online interface to a financial provider network, allowing the client to

access the online web interface when the authentication credentials are verified wherein the

online interface enables the client to define ACH transaction parameters including whether the

ACH transaction is at least one of one-time, recurring, and scheduled; storing the ACH

transaction parameters in a database; and executing an authorized ACH transaction based on the

set up and authorization information ACH transaction parameters, wherein the authorized ACH

transaction debits a first account and credits a second account (*see abstract, figs 1, 1a, 2, 14a-*

14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-0214, 0317-0323, 0338, 0343) .

6.   As Per claim 1, Lawlor et al teach a method further comprising modifying the ACH

transaction parameters to create modified ACH transaction parameters set up accepting the

modified ACH transaction parameters in a database providing notice of an executed ACH

transaction (*see abstract, figs 1, 1a, 2, 14a-14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-*

0214, 0317-0323, 0338, 0343).

7.   As Per claim 3, Lawlor et al teach method of claim 2, further comprising providing

access to the ACH transaction parameters and ACH transactions history (*see abstract, figs 1, 1a,*

2, 14a-14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-0214, 0317-0323, 0338, 0343).

8.   As Per claim 5, Lawlor et al teach a method wherein the ACH transaction is an ACH-in

transaction that electronically transfers client funds from a client account at a third party

financial institution to a client account at the a financial service provider (*see abstract, figs 1, 1a,*

2, 14a-14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-0214, 0317-0323, 0338, 0343).

9.   As Per claim 6, Lawlor et al teach a method wherein the ACH transaction parameters

comprises a routing number for a client third party financial institution, a client account number

at the client third party financial institution and financial service provider; and an amount of

funds to be transferred between at-least-one a client account in the client third party financial

institution and a client account at the financial service provider (*see abstract, figs 1, 1a, 2, 14a-*

14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-0214, 0317-0323, 0338, 0343).

10.   As Per claim 7, Lawlor et al teach a method a method for authorizing an automated

clearing house (ACH) transaction, the method comprising prompting a client to enter

authentication credentials to access an online interface to a financial provider network; allowing

the client to access the online ~ interface when the authentication credentials are verified on a

financial provider wherein the online interface enables the client to define ACH transaction

parameters including whether the ACH transaction is at least one of one-time, recurring, and

scheduled; allowing automatically executing an authorized ACH transaction based on the ACH

transaction parameters (*see abstract, figs 1, 1a, 2, 14a-14d, pps 0078, 0081, 0088, 0089, 0195,*

0203, 0211-0214, 0317-0323, 0338, 0343).

11.   As Per claim 8, Lawlor et al teach a method further comprising the steps of notifying the

client of the executed ACH transaction enabling modification of the ACH transaction parameters

authorization and storing acknowledging the modified ACH transaction parameters (*see abstract,*

figs 1, 1a, 2, 14a-14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-0214, 0317-0323, 0338,

0343)..

12.   As Per claim 9, Lawlor et al teach a method wherein the access to the online interface is

via a computer having a web browser application (*see abstract, figs 1, 1a, 2, 14a-14d, pps 0078,*

0081, 0088, 0089, 0195, 0203, 0211-0214, 0317-0323, 0338, 0343)..

13.   As Per claim 11, Lawlor et al teach a method wherein the ACH transaction is an ACH-in

transaction (*see abstract, figs 1, 1a, 2, 14a-14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-*

0214, 0317-0323, 0338, 0343)..

14.   As Per claim 12, Lawlor et al teach a method wherein the inputted ACH transaction

parameters include information selected from the group comprising a routing number ~ for a

third party financial institution; an account number at a third party financial institution; and, an

amount of funds to be transferred (*see abstract, figs 1, 1a, 2, 14a-14d, pps 0078, 0081, 0088,*

0089, 0195, 0203, 0211-0214, 0317-0323, 0338, 0343)..

15.   As Per claim 13, Lawlor et al teach a method a client to individually set-up and

authorize an automated clearing house (ACH) in transaction, the method comprising providing

an online ~ interface on a financial services provider network to enable the client to define ACH-in transaction parameters including whether the ACH-in transaction is at least one of one-time, recurring, and scheduled; allowing a the client to securely access the online ~ interface via a client computer having a web browser application; storing and acknowledging the ACH-in transaction parameters; automatically executing an authorized ACH-in transaction based on the ACH-in transaction parameters to electronically transfer client funds from a client account at a third party financial institution to a client account at the financial services provider; notifying the client of the completed ACH-in transaction; and enabling the client to modify the authorization information ACH-in transaction parameters (*see abstract, figs 1, 1a, 2, 14a-14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-0214, 0317-0323, 0338, 0343)..*

16.   As Per claim 14, Lawlor et al teach a method of storing and acknowledging the ACH-in transaction parameters (*see abstract, figs 1, 1a, 2, 14a-14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-0214, 0317-0323, 0338, 0343)..*

17.   As Per claim 16, Lawlor et al teach a method wherein the ACH-in transaction parameters comprises a routing number for a client third party financial institution, a client account number at the client third party financial institution and financial service provider; and, an amount of funds to be transferred between a client account in the client third party financial institution and a client account at the financial service provider (*see abstract, figs 1, 1a, 2, 14a-14d, pps 0078, 0081, 0088, 0089, 0195, 0203, 0211-0214, 0317-0323, 0338, 0343).*

Conclusion

18.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. *(see form 892).*

19.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

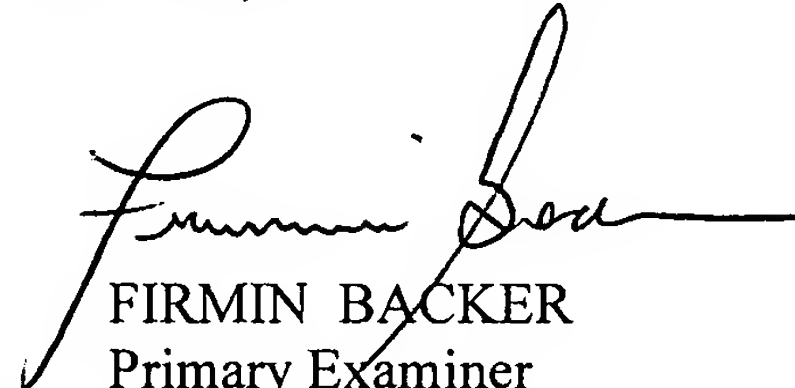Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to FIRMIN BACKER whose telephone number is 571-272-6703.

The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FIRMIN BACKER
Primary Examiner
Art Unit 3621

November 7, 2006